IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE E/S Marshall Mill Rd., 719.37' N of Lower Beckleysville Road * ZONING COMMISSIONER 5th Election District 6th Councilmanic District OF BALTIMORE COUNTY Case No. 88-303-A Stephen C. Miller Petitioner MEMORANDUM AND ORDER The Petitioner herein requests a variance to permit side yard setbacks of 40 feet in lieu of the required 50 feet for a proposed dwelling, as more particularly described on Petitioner's Exhibit 1. The Petitioner appeared and testified. There were no Protestants. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners. Pursuant to the advertisement, posting of the property, and public hearon this Petition held, in the opinion of the Zoning Commissioner, the reested variances should be granted. THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County day of February, 1988 that side yard setbacks of 40 feet in lieu of Fxhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions: February 23, 1988 Mr. Stephen C. Miller 214 E. Susquehanna Avenue Towson, Marylana 21204 RE: Petition for Zoning Variance E/S Marshall Mill Road, 719.37' N of Lower Beckleysville Road 5th Election District, 6th Councilmanic District Case No. 88-303-2 Dear Mr. Miller: Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order. In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office. Very truly yours, J. Pobert things

ROBERT HAINES Zoning Commissioner of Baltimore County

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its Zoning Commissioner of Baltimore County UNITY NEWSPAPERS OF MARYLAND, INC. Westminster, Md. Jan. 21,19 88 IRTIFY that the annexed Req.#.M10704 .. P.O.# 95564 ne. (1) виссезыю weeks/days/previous day of January 1988 in the County Times, a daily newspaper published in Westminster, Carroll County, Maryland. stown News, a weekly newspaper published in Baltimore County, Maryland. inity Times, a weekly newspaper published in Baltimore County, Marylan AUNITY NEWSPAPERS OF MARYLAND, INC. in Baltimore County, Maryland. Per James Keefer

Stephen C. Miller E/S Marshall Mill Lower Beckleyville

of 40 feet in lieu of the required 50 feet. NOTICE OF HEARING The Zoning Commissioner of Bal-tamore County, by authority of the Zoning Act and Regulations of Balt-more County, will hold a public hearing on the property identified below in Room 105 of the County Office Building, invated at 111 W. Chesapeste Avenue in Towson, Maryland as follows:

PETITION FOR ZONING VALANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103.3 (1A00.3.B.3) to permit side yard setbacks

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Narrow lot configuration and 50-foot setback requirements create a limited building area. House cannot be moved further to the rear of the lot because of the approved septic area and the drainage and utility easement. The proposed house with attached garage, 66 feet wide, will conform to other houses in the area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

	•	4,4/ 2
Contract Purchaser:	Legal Owner(s):	map NW 2
	Stephen C. Miller	
(Type or Print Name)	(Type or Print Name)	· 10 E.D. 5 /
****************************		lle DUE 450
Signature	Signature /	200 BF
Address		1000 BF
Address	(Type or Print Name)	1003
City and State	Signature	DP
·	or Burning.	W-56.8
Attorney for Petitioner:		N- 114,
(There on Bright Manne)	214 E. Susquehanna Av	
(Type or Print Name)	Address	Phone No.
Signature	Towson, Maryland 212	04
Signature	City and State	
Address	Name, address and phone number of le tract purchaser or representative to b	egal owner, con-
	tract patential of representative to t	e contacted
City and State	Naute	***
Attorney's Telephone No.:		
Switter & Felephone 140.,	Address	Phone No.
ORDERED By The Zoning Commissioner of	Baltimore County, this 137	L
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of, that the required by the Zoning Law of Baltimore County,	subject matter of this petition be	adverdsed, as
out Baltimore County, that property be posted, an	d that the public hearing he had before	ation unrough- are the Zoning
Commissioner of Battimore County in Room 10	6, County Office Building in Tows	on, Baltimore
County, on the day of	Jel , 1888, 11	o'clock
	1	
— — — — — — — — — — — — — — — — — — —		

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

December 2, 1987 FEB 0 2 1988

Mr. Stephen C. Miller

214 E. Susquehanna Avenue Towson, Maryland 21204

Ret Case number: 88-303-A E/S Marshall Mill Road, 719.37 N of Lower Beckleysville Road 5th Election District - 3rd Councilmanic District Petitioner - Stephen C. Miller

aDear Mr. Miller:

Please be advised that $\frac{7C48}{}$ is due for advertising and posting of the above-referenced property. All adversting and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it is posted by this office until the day of the hearing itself.

October 13, 1987

Description to Accompany
Zoning Variance
Lot 3, Section One Cooper Valley

BEGINNING for the same on the east right of way line of Marshall

Mill Road, 60 feet wide at a point masured 719.37 feet northeasterly along said line form it's intersection with the northeast right of way

along said line form it's intersection with the northeast right of vay line of Lower Beckleysville Road, 60 feet wide, said point also being the southwestern corner of Lot 3, Section One - Cooper Valley and being recorded among the Plat Records of Baltimore County in Plat Book EHK Jr. 40 folio 56, and running; thence from said point and binding on the east side of Marshall Mill Road, northerly by a line curving to the left having a radius of 117.45 feet, an arc length of 80.36 feet subtended by a chord bearing of North 11 degrees 27 minutes 35 seconds East 78.80 feet; thence North 08 degrees 08 minutes 31 seconds West 57.59 feet; thence leaving said right of way line; South 78 degrees 12 minutes 31 seconds East 709.50 feet; south 60 degrees 19 minutes 06 seconds West 354.54 feet; North 63 degrees 21 minutes 34 seconds West 397.47 feet to the point of beginning.

Containing 2.3426 acres of land more or less.

	BALTIMORE COUNTY, MARYLAND
*	OFFICE OF FINANCE - REVENUE DIVISION
	MISCELLANEOUS CASH RECEIPT

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TOWSON, MD., Jan 21, 19.88 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

CERTIFICATE OF PUBLICATION

Marviand as follows: case number: #8-303-A E/S Marshall Mull Road, 719-37 N of and published in Towson, Baltimore County, Md, appearing on Jan 21, 1088

THE JEFFERSONIAN.

Lower Beckleysville Road 5th Election District -- 3rd Council mank District
Petitioner Stephen C. Miller
DATE/TIME Tuesday, February 1988 at 2.00 p.m. Variance to permit side yard set-backs of 40 feet in lieu of the required In the event that this Pri-tion is granted, a building permit may be neued within the thirty (30) day ap-peal period. The Justing Commissoner will, however, entertain any request for a star of the assuance of said permit during this period for good cause shown. Such request

must be in writing and received in this office by the date of the hearing net above or presents 2 at the hear-I ROBERT HAINES Zining Commissioner of Baltimore County

Enclosures

cc: People's Counsel

CENTIFICATE OF POSTING

Posted for:

Petitioner: Stephen C miller

Location of property: If S of Marshall Mill Bred 719.37.

Location of Signs: Cast side of marshall mill Real

Location of Signs: Cast side of marshall mill Real

Remarks:

Posted by Signature

Dute of return: 1-22-ff

Number of Signer

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-303-A
E/S Marshall Mill Road, 719.37 N of Lower Beckleysville Road
Sth Election District - 3rd Councilmanic District
Petitioner - Stephen C. Miller
DATE/TIME: TUESDAY, FEBRUARY 9, 1988 at 2:00 p.m.

Variance to permit side yard setbacks of 40 feet in lieu of the required ₹ 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

PROMIS STEPHEN C MILLER

No. 41742

ROBERT HAINES ning Commissioner of

ltimore County

FOR ELLING FEE FOR VARIANCE 120 149 .B B645*****3506:a 926%F

Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

November 10, 1987

Zoning Commissioner County fice Building Towson, Maryland 21204

Dear Zuning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 149, 150, 151, 152, 153, 154, 155, 156, and 158.

Very truly yours,

Traffic Engineer Associate II

fisb

PETITIONER'S EXHIBIT 1 VICINITY MAP SCALE: 1" - I MILE PLATIFOR ZONING VARIANCE OWNER: STEPHEN G. MILLER DISTRICT S CONED RDP __ DUBONISION! DECTION ONE COOPER VALLEY - LOT 3 - 40/56 LOT DERVED BY PRIVATE WELL & SEPTC

UREA.N+ 272 DATE 110-13-87

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this _____ day of November , 1987.

Attorney

James S. Dyer Chairman, Zoning Plans Advisory Committee

Reltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

November 25, 1987

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Stephen C. Miller Location: E/S MArshall Mill Road, 719.37' N. lower Beckleysville Rd.

Zoning Agenda: Meeting of 11/3/87

Dennis F. Rasmussen

Gentlemen:

Item No.: 149

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _

EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Catt Ineff Tolly 11-35 #7 Approved:

Planying group 11-35 #7 Approved:

Fyio browentson Bibliographer Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zening Counterioner

December 21, 1987

Norman E. Gerber, AlCP FROM Director of Planning and Zoning

Zoning Petition Nos. 88-295-A, 88-296-A, SUBJECT_88-300-A, 88-301-A, 88-302-A, 88-303-A

There are no comprehensive planning factors requiring comment on this

Norman E. Gerber, AICP Director

NEC:JGH:dme

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Stage of the A

CPS-nna

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE February 3, 1988

COUNTY OFFICE BLDG. 111 W. Chemapeake Ave. Townon, Maryland 21206

Mr. Stephen C. Miller 214 E. Susquehanna Avenue Townon, Maryland 21204

RE: Item No. 149 - Case No. 88-303-A

Petitioner: Stephen C. Miller Petition for Zoning Variance

Dear Mr. Miller:

Bureau of Department of State Roads Commission Bureau of fire Prevention Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submit-ted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> JAMES E. DYER Chairman

JED:kkb Enclosures

Zoning Flans Advisory Committee